IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.129 OF 2003

IN

SUMMARY SUIT NO.3570 OF 2002

Abdul Karim Umar Merchant .. Plaintiff

versus

Vaibhav Development Corporation & anr.

.. Defendants

Mr. P.S.Dani i/b Pandey & Co for Plaintiff

Mr.N.M.Gunjalkar with Mr.N.Jadhav for Defendants

CORAM : D.G. KARNIK, J

DATED : 18th January 2005.

P.C:-

1. Heard learned counsel for the parties. Learned counsel for the defendants states that the defendants have deposited a sum of Rs.5,50,000/- in this Court in pursuance of an order dated 13th September, 2004. This amount covers the entire amount of the the principal sum claimed in the suit and also covers substantial portion of the interest. In view of this,

the defendants needs to be granted leave to defend the suit. The defendants is accordingly granted leave to defend the suit. The suit shall stand transferred to the list of commercial causes. The defendants to file the written statement within five weeks.

2. At the request of the learned counsel for the defendants it is ordered that the amount already deposited in this Court be invested in the State Bank of India initially for a period of 13 months to be renewed from time to time till decision of the suit or till further orders.

D.G.KARNIK, J